

1 MCGREGOR W. SCOTT (CSBN 142413)
 2 United States Attorney
 3 Eastern District of California

4 SAMANTHA S. SPANGLER (CSBN 142870)
 5 Assistant U.S. Attorney

6 501 I Street, Suite 10-100
 7 Sacramento, California 95814
 8 Telephone: (916) 554-2792

9 Attorneys for Plaintiff

FILED

MAR 20 2008

RICHARD W. WIEKING
 CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND

10 **RECEIVED** UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA
 12 MAR 19 2008
 13 OAKLAND DIVISION

RICHARD W. WIEKING
 CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND

14 UNITED STATES OF AMERICA,)	CASE NO. 4:04-cr-40154-CW
15 Plaintiff,)	STIPULATION TO CONTINUE
16 v.)	SENTENCING HEARING
17 MARVIN JEFFERY, JR.,)	AND [PROPOSED] ORDER
18 Defendant.)	OAKLAND VENUE

19 Stipulation

20 The parties stipulate that the sentencing hearing may be
 21 continued from March 26, 2008, to May 14, 2008, at 2:00 p.m. The
 22 parties have conferred regarding the issue of restitution, but could
 23 not complete our negotiations in time for the submission to the
 24 Probation Officer and for her to have sufficient time to prepare an
 25 updated final pre-sentence investigation report. The Probation
 26 Officer is not available until May 14. Additionally, the
 27 undersigned prosecutor is still awaiting input from the Northern
 28 District prosecutor regarding the appropriateness of any U.S.S.G. §
 5K1.1 reduction.

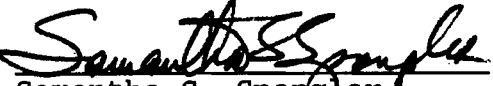
cc:
 USPO

1 Ms. Condes, counsel for the defendant, has reviewed this
2 stipulation electronically and has authorized the prosecutor to sign
3 it on her behalf.


4 DATED: March 19, 2008

McGREGOR W. SCOTT
United States Attorney

5
6 by


Samantha S. Spangler
Assistant U.S. Attorney

7
8
9 DATED: March 19, 2008

for 
ELENA CONDES
Attorney for Defendant
Marvin Jeffery, Jr.

10
11
12 Order

13 Good cause appearing, the sentencing hearing is continued and a
14 new schedule is established as follows:

15 Disclosure of updated final PSR: April 9, 2008;


16 Motions to Correct PSR or other sentencing memoranda: April
17 23, 2008;

18 Any reply briefs: May 7, 2008;

19 Judgment and Sentencing Hearing: May 14, 2008, at 2:00 p.m.

20 IT IS SO ORDERED.

21 DATED: March 20, 2008


CLAUDIA WILKEN, Judge
United States District Court

CERTIFICATE OF SERVICE

The undersigned hereby certifies that she is an employee in the Office of the United States Attorney for the Eastern District of California and is a person of such age and discretion to be competent to serve papers.


That on March 19, 2008, she served a copy of the attached:

STIPULATION CONTINUING SENTENCING HEARING
AND [PROPOSED] ORDER

by placing said copy in an envelope addressed to the persons hereinafter named, at the addresses stated below, which are the last known addresses of said persons and by placing it in the United States mail.

Elena Condes
Attorney at Law
1010 Grayson Street, Suite Two
Berkeley, CA 94710

Christina Carrubba
U.S. Probation Officer
1301 Clay Street, Suite 220S
Oakland, CA 94612


Samantha S. Spangler
Assistant U.S. Attorney